

Exhibit 5

UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

COPY

U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

vs. Case No. 1:06-CV-00028

LEO PALACE RESORT,

Defendants.

JENNIFER HOLBROOK; VIVIENNE VILLANUEVA;
and ROSEMARIE TAIMANGLO,

Plaintiff-Intervenors,

vs.

LEO PALACE RESORT,

Defendant.

DEPOSITION OF GREGORY PEREZ

Taken on behalf of the EEOC at Kessner, Duca, Umebayashi
Bain & Matsunaga, 220 S. King St., 19th Floor, Honolulu,
Hawaii 96813, commencing at 9:04 a.m., Thursday, March
8, 2007, pursuant to Notice.

BEFORE: BARBARA ACOBA, CSR No. 412, RPR
Notary Public, State of Hawaii

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1 GREGORY PEREZ

2 called as a witness at the instance of the Plaintiff
 3 being first duly sworn to tell the truth, the whole
 4 truth, and nothing but the truth testified as follows:

5 EXAMINATION

6 BY MR. McCLINTON:

7 Q. Mr. Perez --

8 MR. McCLINTON: Why don't everybody introduce
 9 themselves for the record.

10 MR. ROBERTS: I'm Tim Roberts, counsel for Leo
 11 Palace Resort.

12 MR. TORRES: I'm Phil Torres, counsel for the
 13 Plaintiff Intervenors.

14 MR. TUNGOL: I'm Wilfredo Tungol, counsel
 15 for -- co-counsel for EEOC.

16 BY MR. McCLINTON:

17 Q. Mr. Perez, I introduced myself to you earlier.
 18 My name is Greg McClinton. I'm an attorney for the
 19 United States Equal Employment Opportunity Commission
 20 and we're here today to take your deposition in the case
 21 of EEOC versus Leo Palace Resorts. The EEOC, or the
 22 Government, is the Plaintiff in this case. And we're
 23 here to get your best testimony regarding events
 24 surrounding sexual harassment allegations that occurred
 25 around the 2003-2004 timeframe.

1 The questions that I ask you, that I'm going to
 2 be asking you, I would ask that regarding the relevant
 3 period, would be from 2003 to, let's say, December of
 4 2000 -- we'll say till December of 2005, unless I give
 5 you a different timeframe; do you understand that?

6 A. Sure.

7 Q. Now, I'd asked you earlier if you've had your
 8 deposition taken before and I believe you said no; is
 9 that correct?

10 A. That's correct.

11 Q. And my understanding is you're unrepresented
 12 today; is that also correct?

13 A. That's correct.

14 Q. Then let me go over some ground rules for a
 15 deposition. Again, you were sworn under oath by the
 16 court reporter and your testimony here is no different
 17 than if you were testifying in a court of law. The only
 18 difference is that we don't have a judge present.
 19 Mr. Roberts, who represents Leo Palace Resorts, is
 20 allowed to make objections and the objections are only
 21 for the record. So I would ask that when I ask you a
 22 question, that you take a second or two before you
 23 answer the question, allow time for Mr. Roberts to
 24 express a objection, if he has one, and then answer the
 25 question; do you understand that?

1 Palace Resort Employee Handbook.

2 Did it just have the logo on it or did it have
3 employee handbook on it?

4 A. I remember the logo, and I remember seeing
5 employee handbook printed on it.

6 Q. But you were never actually given one of these;
7 is that correct?

8 A. No. That's correct.

9 Q. And was there any requirement during the time
10 that you were there that you were to read that list or
11 that stack of documents that had the logo on it that
12 said employee handbook?

13 A. If I was required, I wasn't made aware of it.

14 Q. Okay. And do you know if any of the other
15 employees were required to read that stack of documents
16 that had the logo on it that said employee handbook?

17 A. I'm not aware of it.

18 Q. And by the way, if you need a break, just let
19 me know. I didn't tell you that when I started, but
20 this isn't a marathon, so if you need a break, just say
21 so.

22 Now, I had asked you some -- well, you actually
23 testified regarding some complaints by Ms. Villanueva.
24 Did she ever describe to you an incident where
25 Ms. Camacho was -- supposedly humped her in a sexual

1 A. I don't recall.

2 Q. Did she ever tell you that Ms. Camacho had
3 rolled up some paper towels into the shape of a penis
4 and put it in her crotch area?

5 MR. ROBERTS: Objection. Leading.

6 THE WITNESS: No.

7 BY MR. McCLINTON:

8 Q. Is it no or you don't recall?

9 A. She never told me about that.

10 Q. Okay. And what is it that Ms. Taimanglo, what
11 is it that she did tell you?

12 A. Roughly her behavior with the customers were of
13 a sexual nature, especially one incident, and that the
14 other girls were complaining about her, about her
15 aggressiveness toward them.

16 Q. And when you say "aggressiveness toward them,"
17 are you referring to sexual aggressiveness toward them?

18 A. Yes.

19 Q. And when you say the other girls, what other
20 girls are you referring to?

21 A. All the girls at the front desk, specifically
22 Vivienne and Jennifer. There was another young lady.

23 Q. That's Jennifer Holbrook?

24 A. Jennifer Holbrook. And there was another young
25 lady there, but she went into the military. I can't

1 way?

2 A. That's basically the incident that occurred.
3 It was -- yeah. The incident that originally set this
4 off was she placed her hands on her butt and simulated
5 sex.

6 Q. And is that where kind of the slapping incident
7 kind of came in?

8 A. Well, I guess initially she used both hands or
9 something.

10 Q. I gotcha. Now, you also -- I asked you about
11 Ms. Taimanglo and you said you knew her. She was a
12 front desk supervisor; is that correct?

13 A. Yes.

14 Q. And did she manage Ms. Camacho? If you know.

15 A. Supervise, yes.

16 Q. And did Ms. Taimanglo ever talk to you about
17 any complaints that she may have had about Ms. Camacho's
18 sexual advances toward her?

19 A. Yes.

20 Q. And did Ms. Camacho ever tell you that -- I'm
21 sorry, Ms. Taimanglo, did she ever tell you that
22 Ms. Camacho felt her breasts?

23 A. I don't recall.

24 Q. Did she ever tell you that Ms. Camacho, that
25 she used to make this sexual slurping noise to her?

1 remember her name.

2 Q. Did Ms. Taimanglo, did she ever tell you that
3 she -- whether or not she had ever counselled
4 Ms. Camacho regarding her -- this aggressive sexual
5 behavior toward these other desk clerks?

6 A. Yes.

7 MR. ROBERTS: Objection. Leading.

8 BY MR. McCLINTON:

9 Q. I'm sorry, and your answer?

10 A. Yes.

11 Q. Did she tell you how many times she counselled
12 her?

13 A. Numerous. I remember the word numerous.

14 Q. And did she ever tell you what Ms. Camacho's
15 response was?

16 A. In one ear, out the other.

17 Q. And do you know if Ms. Taimanglo ever reported
18 Ms. Camacho's inappropriate sexual behavior to
19 Ms. Paulino?

20 A. She told me she did see May about it.

21 MR. ROBERTS: Objection. Hearsay.

22 BY MR. McCLINTON:

23 Q. And did she tell you what Ms. Paulino's
24 response was?

25 A. No. Not -- I'm sorry. I don't recall.

1 A. No.
 2 Q. Did you ever speak with Mr. Kimura regarding
 3 any one of these three women's allegations against
 4 Ms. Camacho?
 5 A. No.
 6 Q. What about Mr. Iijima?
 7 A. No.
 8 Q. Did you ever speak to him?
 9 A. No.
 10 Q. And what about Mr. Suzuki?
 11 A. Yes.
 12 Q. How many times did you speak with Mr. Suzuki
 13 regarding these women's complaints about -- against
 14 Ms. Camacho?
 15 A. At least a couple times.
 16 Q. And let me ask you this: When was the first
 17 time you would have spoke to Mr. Suzuki?
 18 A. After I spoke with Ms. Villanueva about the
 19 incident, I asked Mr. Suzuki if I could go down to HR
 20 and speak with May about the problem.
 21 Q. Okay. And when was that? What date, year, as
 22 close as you can tell me?
 23 A. 2000 -- late 2003, 2004. That's the best I
 24 could do.
 25 Q. And did you tell Mr. Suzuki the specific

1 allegations against Ms. Camacho that Ms. Villanueva had
 2 expressed to you?
 3 A. Yes.
 4 Q. And what was Mr. Suzuki's response?
 5 A. The way when I spoke to him, I usually speak to
 6 him in a basic English form because of his Japanese
 7 language skills and English language skills. I told him
 8 the girls were complaining about Ms. Villanueva (sic)
 9 harassing them, can I talk to Ms. Paulino about it?
 10 Q. And at any point did you tell him that, when
 11 you said harassing, did you describe or define what the
 12 harassment was?
 13 A. I don't recall that.
 14 Q. And what was his response?
 15 A. He said, go ahead.
 16 Q. Okay. And that was -- was that the sum and
 17 substance of the conversation?
 18 A. At the first conversation, yes.
 19 Q. Now, you said you had a second conversation
 20 with him, when did that take place?
 21 A. After the meeting with Ms. Paulino, I came back
 22 upstairs. I found Mr. Suzuki. I told him, I told
 23 Ms. Paulino about what's happening and that she will
 24 take care of it.
 25 Q. Okay. And what was Mr. Suzuki's response?

1 A. Good.
 2 Q. Okay. And do you know if Ms. Paulino took care
 3 of it?
 4 A. From my knowledge, no.
 5 Q. And why do you say that?
 6 A. Because her pattern of behavior after the
 7 incident, after speaking with May Paulino, it still --
 8 from what I heard, it still was consistent. Christina
 9 was still being aggressive to the other girls.
 10 Q. When you say aggressive, you're talking about
 11 she was still approaching them aggressively in a sexual
 12 manner?
 13 A. From what I understand, yes.
 14 Q. And did they tell you this?
 15 A. The girls told me this, yes.
 16 Q. And did you go back and talk to Ms. Paulino?
 17 A. No.
 18 Q. Why not?
 19 A. Because I didn't witness it. Because I'm not
 20 Ms. Taimanglo's immediate supervisor. If I were to try
 21 to reiterate what I had already informed her of, it
 22 would be considered interference with what May is
 23 supposed to do. There's a reason behind that. I don't
 24 know if I should go into it.
 25 Q. That's why we're here.

1 A. May has a very dominant personality. If you
 2 start interfering with her business, she gets offended
 3 and she makes life hard for you.
 4 Q. Okay. So you felt if you would have went back
 5 to her regarding these continued complaints, that she
 6 would have made life hard on you at work?
 7 A. She would try to, yes.
 8 Q. And did you ever speak with Mr. Suzuki again
 9 after those two times?
 10 A. I believe after I had left, yes.
 11 Q. After you had left in August of 2004?
 12 A. Yes.
 13 Q. You spoke with him specifically regarding these
 14 women's complaints against Ms. Camacho?
 15 A. He spoke to me about what had happened, I
 16 thought, and he told me about what had happened and I
 17 told him May was supposed to take care. And he says,
 18 well, okay. It's over. No problem. Done.
 19 Q. Okay. Maybe I just didn't understand your
 20 response. When he said that May was supposed to take
 21 care of it, you were already gone. You had already left
 22 Leo Palace's employ when you had this conversation?
 23 A. Yes. When I had the conversation with
 24 Mr. Suzuki, he asked me what had happened and I told him
 25 May was supposed to take care of it. And he said, okay.

1 Never mind. It's finished already. And by that time,
 2 Ms. Camacho was terminated.
 3 Q. Okay. And I know you already -- I already
 4 asked you this, but Ms. Camacho, she was terminated
 5 before you left in August?
 6 A. Yes.
 7 Q. Now, when did Ms. Holbrook leave Leo Palace?
 8 A. I don't recall.
 9 Q. She left before you; is that correct?
 10 A. I'm not sure.
 11 Q. Okay. What about Ms. Taimanglo?
 12 A. No, I think she was still there at the time.
 13 Q. She no longer works there?
 14 A. No.
 15 Q. Okay. And how do you know that?
 16 A. When I spoke to her, I believe, the first time
 17 she called me.
 18 Q. And did she tell you why she left?
 19 A. Yeah. She was under a lot of pressure.
 20 Q. Okay. Did she say pressure or did she say
 21 stress?
 22 A. Stress. More stress I would say.
 23 Q. And is that because of what was happening with
 24 Ms. Camacho?
 25 A. Yes.

1 MR. ROBERTS: Objection. Leading.
 2 BY MR. McCLINTON:
 3 Q. And what about Ms. Holbrook, have you talked to
 4 her as to the reasons why she left?
 5 A. No.
 6 Q. And what about Ms. Villanueva, have you spoken
 7 with her?
 8 A. About why she left, no.
 9 Q. Now, you said that you were instructed by
 10 Ms. Paulino to counsel Ms. Camacho. Did you do this
 11 counsel -- I'm sorry, did you say that?
 12 A. No.
 13 Q. So she never instructed you to counsel her?
 14 A. Yes.
 15 Q. Let me ask that a better way. That could be
 16 interpreted one or two ways. After you had this
 17 conversation with Ms. Paulino, did she ever tell you to
 18 go out and do a counseling statement or to counsel
 19 Ms. Camacho?
 20 A. No.
 21 Q. And did anyone at Leo Palace tell you to
 22 counsel Ms. Camacho?
 23 A. No.
 24 Q. That takes care of a page of questions.
 25 MR. TORRES: Want to take a break?

1 MR. McCLINTON: I'm actually almost done. I
 2 tell you what, why don't we take five minutes.
 3 (Off the record at 10:15 a.m.)
 4 (Back on the record at 10:22 a.m.)
 5 BY MR. McCLINTON:
 6 Q. When you, on the two occasions that you spoke
 7 with Ms. Paulino in human resources regarding
 8 Ms. Camacho, do you know if Ms. Camacho -- I'm sorry, if
 9 Ms. Paulino had already had any prior knowledge of
 10 Ms. Camacho's sexually inappropriate behavior?
 11 A. I don't know.
 12 Q. Now, you also said that Ms. Taimanglo had told
 13 you that she had some complaints about Ms. Camacho. Do
 14 you know if Ms. Taimanglo voiced those complaints to
 15 Ms. Paulino?
 16 A. Rose told me, yes.
 17 Q. And she said she had passed -- she had
 18 complained to Ms. Paulino regarding Ms. Camacho?
 19 A. Yes.
 20 Q. And did she tell you how many times she had
 21 done that?
 22 A. No.
 23 Q. And when you started work at Leo Palace,
 24 Ms. Taimanglo, she was already working there, right?
 25 A. Yes.

1 Q. And Ms. Villanueva, she came onboard around,
 2 what, June of 2003, if you know?
 3 A. Around that time. Maybe earlier. No, around
 4 that time. Yes.
 5 Q. So she was still there when you left in August
 6 of 2004?
 7 A. I believe so. Yes. Yes. I believe so.
 8 Q. And do you know if Ms. Paulino investigated any
 9 of Ms. Taimanglo's complaints against Ms. Camacho?
 10 A. That, I don't know.
 11 Q. She never interviewed you regarding
 12 Ms. Taimanglo's complaints, did she?
 13 A. No.
 14 Q. Did any of the individuals who you supervised,
 15 again, during that 2003-2004 timeframe, ever tell you
 16 that they were interviewed by Ms. Paulino regarding
 17 complaints by either Ms. Camacho, Ms. Villanueva -- I'm
 18 sorry, Ms. Villanueva, Ms. Holbrook or Ms. Taimanglo?
 19 A. No one said anything.
 20 Q. Did you ever witness Ms. Camacho make any
 21 sexually obscene gestures?
 22 A. Yes.
 23 Q. And what did you observe?
 24 A. There was a mannequin in the back office where
 25 we put our jackets on and I was moving it around and the

1 arm fell out and I showed Rose, who was at the front
2 desk, scratching my back. Rose, this is a back
3 scratcher. And then Christina came up to me, took the
4 mannequin's arm and proceeded to scratch her crotch with
5 it.

6 Q. And Christina is Christina Camacho?

7 A. Yes. Yes.

8 Q. And did you find that offensive?

9 A. Yes. I went right up to her, took it away and
10 said, don't do that here. That was it.

11 Q. And when did this incident occur?

12 A. Around the same time that Rose was voicing her
13 complaints about Ms. Camacho.

14 Q. Was it after you had informed Ms. Paulino
15 regarding Ms. Villanueva's complaints?

16 A. Yes, I believe so.

17 Q. And did you report that incident to
18 Ms. Paulino?

19 A. No, I considered it more of a joke, but it was
20 a very bad joke.

21 Q. And you said that Ms. Villanueva was present
22 when that incident occurred, correct?

23 A. No.

24 Q. Who was?

25 A. Rose Taimanglo was on one side of the front

1 A. Thongs, I believe, and they had -- I believe
2 they had the girls' names written on each of the girls.

3 Q. And how long did the pictures remain on the
4 bulletin board?

5 A. Well, I know when I first saw it, it was soon
6 afterwards, less than a day -- maybe a day, maybe less
7 when I finally did see it.

8 Q. Okay. And were they eventually taken down?

9 A. Yes.

10 Q. And who took them down?

11 A. I don't know.

12 Q. How long were they on the bulletin board?

13 A. From what I've seen -- well, I don't know when
14 it was placed there, but when I saw it, it was less than
15 a day until it was removed.

16 Q. And do you know if Ms. Paulino saw the pictures
17 on the bulletin board?

18 A. I don't know.

19 Q. Do you know if anyone from HR saw the pictures?

20 A. That, I don't know.

21 Q. What about Mr. Suzuki or Mr. Iijima, did they
22 see the picture?

23 A. Mr. Suzuki possibly. Because of the situation
24 of that room where the pictures are being posted, it's
25 one of the entrances, one of four entrances to the front

1 desk, Christina was on the other, and I was situated
2 sort of behind Christina.

3 Q. And Ms. Taimanglo, did she say whether or not
4 she was offended by that conduct?

5 A. Well, when Christina started scratching
6 herself, Rose looked at me in a rather shocked
7 expression on her face, and that was it. So that's why
8 I immediately went and took the arm away.

9 Q. Okay. And were there any -- are you aware of
10 any incidents where Ms. Camacho had placed inappropriate
11 pictures on the employee bulletin board?

12 MR. ROBERTS: Objection. Leading.

13 THE WITNESS: Yes.

14 BY MR. McCLINTON:

15 Q. And what do you recall regarding this?

16 A. I believe it was a picture of numerous women in
17 bathing suits with their back facing toward you and that
18 was it.

19 Q. And so when you say bathing suits, let me ask
20 this way: Did you consider the photos offensive?

21 A. To me, no, but I know from my sexual harassment
22 training, I know that's not allowed in the workplace.

23 Q. And do you know how long these pictures -- when
24 you said they were in bathing suits, were they full
25 bathing suits? Thongs? Two pieces? What were they?

1 desk where they work. So Mr. Suzuki, yes. Mr. Iijima,
2 no.

3 Q. And how is it that you know that it was
4 Ms. Camacho who posted the pictures on the bulletin
5 board?

6 A. It's her type of human that would do it.

7 Q. That ain't what I asked. I said, how is it
8 that you know it was her?

9 A. I assumed.

10 Q. Okay. She never told you that?

11 A. She never told me.

12 Q. And you didn't see her?

13 A. I didn't see her.

14 Q. Did anyone tell you that it was her?

15 A. I don't recall.

16 Q. Were there any type of markings on the posters?

17 A. I believe so. I believe that was the one where
18 someone wrote the names of the front desk girls. You
19 know I think there were like four figurines, four girls
20 in bathing suits, and on each of the girls' backs, I
21 think like one girl had Rose written on it and other
22 front desk clerk's name was on the next one and so on.

23 Q. And during the time that you were at Leo
24 Palace, other than this particular picture, did you ever
25 see any other inappropriate picture posted on bulletin

1 Q. Were you generally aware that at some point it
2 was formulated?

3 A. No.

4 Q. Well, you've seen it before, right?

5 A. I've seen one maybe the last three years before
6 I left, yes.

7 Q. And you left in late August of 2004?

8 A. Yes.

9 Q. And so sometime between August of 2001 and
10 August of 2004, you saw this employee handbook?

11 A. Yes.

12 Q. Do you know whether it was issued to employees
13 that were hired on or after the date this handbook was
14 adopted?

15 A. That, I don't know.

16 Q. Look at page two of this document. The second
17 section says, welcome new employees. I think I asked
18 this already: Do you know whether this was given to new
19 employees after it was adopted by Leo Palace, but after
20 you were hired?

21 A. Do I know? I don't know.

22 Q. Okay. Can you turn to page 29 of this
23 document. There's a title on that page, right?

24 A. Yes.

25 Q. What's the title?

1 A. 2003, I believe.

2 Q. Okay. So before the hotel Belvedere opened,
3 what were you the night manager of?

4 A. Okay. We ran all the operations out of the
5 clubhouse, to check-ins, checkouts, security problems,
6 guests requests, housekeeping problems on my shift.
7 That was it.

8 Q. And were you responsible for the -- how many
9 condos are there out there?

10 A. Oh, number wise, not too many.

11 Q. Number of buildings?

12 A. Oh, condominiums, at that time I believe there
13 was -- at that time only had two condos.

14 Q. C and D?

15 A. Yes.

16 Q. Were you responsible for running the C and D
17 condos as night manager from the clubhouse?

18 A. Responsible, yes.

19 Q. I golf at Leo Palace a lot as you might
20 imagine. I've never seen you before. When you were at
21 the clubhouse, was your office in the back?

22 A. No. No. At the front desk where you would
23 check in for golf, but I would be gone before any
24 golfers checked in.

25 Q. Right, because I never teed off between the

1 A. Sexual Harassment.

2 Q. What's the first sentence under that title?

3 A. We prohibit sexual harassment by any employee,
4 supervisor, co-employees or customer.

5 Q. Was it your testimony earlier that Leo Palace
6 never had a policy on sexual harassment?

7 A. That I knew of, yes.

8 Q. Would this seem to run counter to what you said
9 earlier?

10 A. Yes.

11 Q. And again, I think you said earlier this was, I
12 think you used the word "available" to you during the
13 time that you were working there.

14 A. The late years, yes.

15 Q. In the last three years?

16 A. Yes. I've seen it in Mr. Suzuki's desk.

17 Q. Did you see it anywhere else?

18 A. No.

19 Q. You said at some point, actually very soon
20 after you were hired, you were promoted to night
21 manager. And then you were exclusively the night
22 manager after that, right?

23 A. Yes.

24 Q. What year did the hotel Belvedere open at Leo
25 Palace?

1 hours of 11:00 and 6:00 in the morning. Right. See,
2 lawyers aren't so smart.

3 You said there was never any sexual harassment
4 training seminars that you knew of during the time you
5 were at Leo Palace; do you remember that?

6 A. Yes.

7 Q. Don't you remember a training seminar in early
8 2004, put on by Bill Borja of Pacific Human Resources?

9 A. Oh, yes. Okay. I remember now.

10 Q. Thank you. What was that?

11 A. Was it Borja?

12 Q. I don't know. Tell me what you remember.

13 A. No, I'm sorry, I'm confusing that with union
14 problems with Mr. Gibson.

15 Q. By Mr. Gibson, are you referring to Bill
16 Gibson?

17 A. Yeah. There's an announcer on Guam, the
18 father. He helped us with union problems.

19 Q. And he is with the Guam Employers Council,
20 right?

21 A. Yeah. He was basically telling us treat the
22 employees better so they don't go union. Basically that
23 was it. I remember that seminar. But sexual
24 harassment, I'm not too sure about training.

25 Q. Well, I don't have it with me today, but I have

1 Q. As what?
 2 A. First was guest -- no. I think it was a night
 3 manager job, too, then I went to guest services manager.
 4 Q. Any training in sexual harassment seminars?
 5 A. No. I don't believe so.
 6 Q. Did you need it? Did you need any more sexual
 7 harassment training?
 8 A. I was pretty much secure with once I heard it,
 9 report it, and let the HR take it from there.
 10 Q. Do you remember the exact day you left Leo
 11 Palace in August of 2004?
 12 A. Exact day, no.
 13 Q. Do you remember that Christina Camacho was
 14 fired by May Paulino while you were still working there?
 15 A. Do I remember? No. I don't know when -- well,
 16 I know she left before I left, but I don't know when.
 17 Q. You know Christina left the employ of Leo
 18 Palace before you left the employ of Leo Palace?
 19 A. Yes. Yes.
 20 Q. You didn't hear about how she was fired?
 21 A. I work nights, so, you know, the gossip during
 22 the day, you know, there's no one around.
 23 Q. But Rose and Jennifer and Vivienne were still
 24 working there when you left, right?
 25 A. I believe so, yes.

1 directly, right?
 2 A. I did not.
 3 Q. And you didn't actually put it in the internal
 4 mail system yourself, did you?
 5 A. I put it in the interoffice memo, one of those
 6 brown envelopes that you secure with string. Like I
 7 have with everything else that I've sent down to HR, put
 8 it in the envelope, ask Rose make sure it gets down
 9 there.
 10 Q. According to Ray Griffin's report, which I
 11 marked as Exhibit 2, you gave it to Rose and Vivienne
 12 and asked them to deliver it to May Paulino.
 13 A. Yeah. It usually goes down with the mail, the
 14 incoming mail.
 15 Q. Do you remember giving it to Rose and Vivienne
 16 and asking them to deliver it to May Paulino?
 17 A. I believe I've always given it to Rose whenever
 18 I've had something like that. Something of importance,
 19 I made sure I give it to someone and I ask them to make
 20 sure it gets downstairs.
 21 Q. Downstairs. But the front desk at the hotel is
 22 on the same floor as May Paulino's office, isn't it?
 23 A. No. One floor above.
 24 Q. One floor above. Okay. Why didn't you just
 25 walk down and put it in May's in tray yourself?

1 Q. Didn't you have any conversations with them
 2 about Christina being fired?
 3 A. They might have told me, yes, that she was
 4 terminated.
 5 Q. They might have, but do you remember anything
 6 about it?
 7 A. Specifically about it, no.
 8 Q. But you knew she was terminated?
 9 A. Yes, because I didn't see her on the schedule,
 10 I believe. Yeah, that was one thing I know, when people
 11 are terminated, their names are taken off the work
 12 schedule, what you showed me earlier or Mr. Torres
 13 showed me.
 14 Q. Was there any other policy you're aware of for
 15 what happens when an employee is terminated? And let me
 16 be more specific: Do you know whether Palacios Security
 17 had any role as a policy when an employee was
 18 terminated?
 19 A. They weren't supposed to be allowed back on
 20 property, that's all I know.
 21 Q. All right. So you don't know if Christina was
 22 taken off the property by Palacios Security?
 23 A. That's, I don't know.
 24 Q. This memo, this memo that you gave -- that you
 25 said you gave to May, you didn't hand it to her

1 A. Well, I get off at 7:00. I probably completed
 2 it by 8:00. They probably don't get in until -- I don't
 3 know.
 4 Q. You don't think May was in the office by
 5 8 o'clock? Do you think you wrote the report in one
 6 hour?
 7 A. Yeah.
 8 Q. And this was in what form, handwritten or
 9 typed?
 10 A. I used a computer that was next -- on the desk
 11 next to Mr. Maruyama's. I might have used Mr. Hong's
 12 computer.
 13 Q. That's a computer at Leo Palace?
 14 A. Leo Palace.
 15 Q. Was it a Word document?
 16 A. Yes.
 17 Q. And then you printed it out?
 18 A. Yes.
 19 Q. Okay. And that was on or about, you think, in
 20 June -- on or about June 23rd?
 21 A. Around there, yes.
 22 Q. Of 2004?
 23 A. Yes.
 24 Q. When you finished the memo and printed it out
 25 was there anybody else at the office yet in Maruyama's

Exhibit 6

UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

U.S. EQUAL EMPLOYMENT)	CASE NO. 1:06-CV-00028
OPPORTUNITY COMMISSION,)	
)	
Plaintiff,)	
)	
vs.)	
)	
LEO PALACE RESORT,)	
)	
Defendant.)	
<hr/>		
JENNIFER HOLBROOK, VIVIENE)	
VILLANUEVA, and ROSEMARIE)	
TAIMANGLO,)	
)	
Plaintiff-Intervenors,)	
)	
vs.)	
)	
LEO PALACE RESORT,)	
)	
Defendant.)	
<hr/>		

DEPOSITION TRANSCRIPT
OF

MAE E. PAULINO

March 13, 2007

PREPARED BY: GEORGE B. CASTRO
 DEPO RESOURCES
 #49 Anacoco Lane
 Nimitz Hill Estates
 Piti, Guam 96915
 Tel:(671)688-DEPO * Fax:(671)472-3094

UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

U.S. EQUAL EMPLOYMENT)	CASE NO. 1:06-CV-00028
OPPORTUNITY COMMISSION,)	
)	
Plaintiff,)	
)	
vs.)	
)	
LEO PALACE RESORT,)	
)	
Defendant.)	
<hr/>		
JENNIFER HOLBROOK, VIVIENE)	
VILLANUEVA, and ROSEMARIE)	
TAIMANGLO,)	
)	
Plaintiff-Intervenors,)	
)	
vs.)	
)	
LEO PALACE RESORT,)	
)	
Defendant.)	
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Deposition of **May E. Paulino**, taken on Tuesday, March 13, 2007, at the hour of 9:13 a.m., at the U.S. Attorney's Office, District of Guam, Sirena Plaza, 108 Hernan Cortez Avenue, Hagatna, Guam before George B. Castro, pursuant to Notice. That at said time and place there transpired the following:

DEPO RESOURCES

George B. Castro

Court Reporter

Tel:(671)688-DEPO (3376) * Fax:(671)472-3094

APPEARANCES

For the Plaintiff	U.S. EQUAL OPPORTUNITY COMMISSION By: Gregory B. McClinton, Esq.
For the Plaintiff-Intervenors	TEKER, TORRES & TEKER, P.C. By: Lawrence Teker, Esq.
For the Defendant	DOOLEY, ROBERTS & FOWLER, LLP By: Tim Roberts, Esq.
Also present	Michiro Niikura Vivienne Villanueva Rosemarie Taimanglo (9:59 a.m.)

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Tel:(671)688-DEPO (3376) * Fax:(671)472-3094

1 A Yes, sir.

2 Q Was he also there when Ms. Camacho was
3 there?

4 A No, sir.

5 Q And so, did he leave the position prior
6 to Ms. Camacho being hired?

7 A Yes, sir.

8 Q So when -- Ms. Camacho, do you recall
9 when she was hired?

10 A I can't recall, sir.

11 Q Was it around May of 2004?

12 A It was around -- yes, sir. Around that
13 time.

14 Q And so, Mr. Manzon, he would have left
15 prior to May of 2004?

16 A He left in April.

17 Q Okay. And, so you would have taken
18 over as the head of Human Resources for Leo
19 Palace around April of 2004?

20 A Yes, sir.

21 Q And who did you report to in 2000 --
22 after April 2004?

23 A Mr. -- give me a second.

24 Q Sure. Go ahead.

25 A It was Mr. -- I'm not sure, sir.

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1 became aware of the allegations of sexual
2 harassment against Ms. Camacho?

3 MR. ROBERTS: I object, the question
4 is vague as to him.

5 MR. McCLINTON: I'm talking about Mr.
6 Suzuki.

7 MR. ROBERTS: The question is, did May
8 interview --

9 MR. McCLINTON: That's correct.

10 MR. ROBERTS: -- Mr. -- interview?

11 MR. McCLINTON: Interview. Right.

12 BY MR. McCLINTON:

13 Q As part of your investigation, did you
14 talk to him?

15 A Yes, I did, sir.

16 Q Okay. And what did he say?

17 A He said that he cannot terminate
18 Christina at that time.

19 Q Let me ask you, do you recall when it
20 was that you had the interview with Mr. Suzuki?

21 A I can't recall, sir.

22 Q Okay. Was it in August of 2004?

23 A It was -- yes, it was in August 2004.

24 Q Okay. Now, did Mr. Suzuki, did he tell
25 you that he knew that Ms. Camacho had acted

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1 inappropriately toward Ms. Villanueva?

2 MR. ROBERTS: Objection, leading.

3 MR. McCLINTON: It's an adverse
4 witness, but you can answer the question.

5 MR. ROBERTS: You're right. I forgot.

6 MR. McCLINTON: That's okay.

7 MR. ROBERTS: We're in Guam now, not
8 Hawaii.

9 A Can you repeat, sir?

10 MR. McCLINTON: Sure.

11 BY MR. McCLINTON:

12 Q In your conversation you had with -- I
13 would ask for a read-back but I don't think I
14 could get one, that's the down side of this
15 recording, now that I actually think about
16 this.

17 Let me ask you, when you had this
18 conversation or interview that you had with Mr.
19 Suzuki, did he tell that he knew about Ms.
20 Villanueva's complaints against Ms. Camacho?

21 A Yes.

22 Q And did he tell you that he knew that -
23 - and when I say he knew, Mr. Suzuki, that he'd
24 knew that Ms. Camacho had acted inappropriately
25 toward Ms. Villanueva?

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1 A Yes.

2 Q And did he tell you at anytime that he
3 -- rather, he had counseled Ms. Camacho prior
4 to you speaking with him?

5 A No, sir.

6 Q Okay. Did you ask him?

7 A Yes, sir.

8 Q And what did he say?

9 A He said no.

10 Q Okay. And did he tell you whether or
11 not he had instructed Mr. Perez or any other
12 supervisor to counsel Ms. Camacho?

13 A No, sir.

14 Q And prior to you conducting this
15 interview with Mr. Suzuki, had Mr. Suzuki
16 reported Ms. Camacho's inappropriate behavior
17 toward Ms. Villanueva to Leo Palace's Human
18 Resources?

19 A No, sir.

20 Q And did Mr. Suzuki, did he tell you how
21 long he knew Ms. Camacho had been acting
22 inappropriately toward Ms. Villanueva?

23 A He never discussed it, sir. So, no.

24 Q Okay. Now, when you spoke with Mr.
25 Suzuki, did you also talk to him about Ms.

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1 Holbrook's allegations against Ms. Camacho?

2 A Yes, I did, sir.

3 Q Okay. And did Mr. Suzuki, did he tell
4 you that he knew that Ms. Camacho had acted
5 inappropriately toward Ms. Holbrook?

6 A He said he heard.

7 Q Okay. And did he tell you who he heard
8 it from?

9 A No, sir.

10 Q Did he tell you when he had heard it?

11 A No, sir.

12 Q Prior to you conducting the interview
13 as part of your investigation with Mr. Suzuki,
14 had he reported to Human Resources that he had
15 heard that Ms. Camacho had acted
16 inappropriately toward Ms. Holbrook?

17 A No, sir.

18 Q Had Mr. Suzuki counsel or disciplined
19 Ms. Camacho for inappropriate conduct toward
20 Ms. Holbrook?

21 A No, sir.

22 Q Did Mr. Suzuki tell you that he had
23 instructed any of Ms. Camacho's supervisors to
24 counsel her regarding the inappropriate conduct
25 toward Ms. Holbrook?

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1 A No, sir.

2 Q And the same questions regarding Ms.
3 Taimanglo, when you spoke with Mr. Suzuki, did
4 you ask him about Ms. Taimanglo's allegations
5 against Ms. Camacho?

6 A No, sir.

7 Q Did Mr. Suzuki, did he tell you that
8 he'd also knew that Ms. Camacho had acted
9 inappropriately toward Ms. Taimanglo?

10 A No, sir.

11 Q As part of your decision or part of Mr.
12 Suzuki and Mr. Iijima's decision to terminate
13 Ms. Camacho, as part of your investigation, did
14 you investigate the allegations of Ms.
15 Taimanglo against Ms. Camacho?

16 A Yes, sir.

17 Q Okay. And why did that you did not ask
18 Mr. Suzuki regarding Ms. Taimanglo's
19 allegations against Ms. Camacho?

20 A I asked him, he said he knows about it
21 but he is too busy.

22 Q Okay. So, when I asked you earlier
23 whether or not you had discussed as part of
24 your investigation Ms. Taimanglo's allegations,
25 you now remember that you did ask him about

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1 that and he said he was too busy or words to
2 that effect?

3 A Well, the first time I asked him he
4 said he heard about it.

5 Q Okay. So, there was -- you had two
6 conversations with him about Ms. Taimanglo?

7 A Yes.

8 Q Okay. Did you have more than two
9 conversations with him regarding Ms.
10 Taimanglo's allegations?

11 A No, sir.

12 Q And when you had the second
13 conversation, how long was that after you had
14 the first one?

15 A It was probably about -- I can't
16 remember, sir.

17 Q Why is it -- was it more than a week?

18 A I can't remember.

19 Q Did you take notes of the first
20 conversation you had with Mr. Suzuki?

21 A It was just a short conversation. No,
22 I did not.

23 Q Okay. And you didn't go back and make
24 a memorandum of the conversation you had him?

25 A I don't remember, sir.

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1 Q Okay. What about the second
2 conversation, did you document it?

3 A No.

4 Q Okay. And why is it that you went and
5 spoke with him the second time? Or did he come
6 to you?

7 A I met Rose at the hallway one day.

8 Q Who?

9 A Rose Taimanglo.

10 Q Okay.

11 A I met Rose Taimanglo in the hallway one
12 day, and she said to me or she asked me what's
13 the status of Christina, Christina Camacho. I
14 said, I told her that I would talk to Suzuki.
15 Suzuki-San does not want to make any --
16 terminate her at this time.

17 Q He does not want to what?

18 A He does not want to terminate her.

19 Q Okay. And so you went back and talked
20 to Mr. Suzuki a second time?

21 A Yes, I did.

22 Q Okay. And is that second conversation
23 is where he told you that he was too busy?

24 A Yes.

25 Q Okay. And why is it that he said that

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1 violation?

2 A Yes, sir.

3 Q Okay. And, what about a female
4 employee approaching another female employee
5 and sticking their hand up under their skirt in
6 a sexual way, is that a violation?

7 A Yes, sir.

8 Q And all these things I just asked you
9 about, at the time that you conducted your
10 investigation, did you become aware of these
11 allegations against Ms. Camacho?

12 A No, sir.

13 Q So as a result of your investigation,
14 no one told you about all these things that I
15 just rattled off?

16 A Rose had told me one time. She came
17 down in early July, okay? She's a supervisor,
18 she was complaining to me about Christina's
19 attitude, that there was a guest at the hotel
20 that wanted a key delivered to the room and
21 Christina wanted to volunteer to go deliver the
22 key and Rose would not let her go because she
23 was going to see her girlfriend, which is a
24 female employee at housekeeping; and Rose told
25 me that she went ahead and let her go because

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1 if she doesn't let her go, she will get mad and
2 she'll just sit in the back corner and not
3 doing anything.

4 Rose said that she let her go and she
5 gave her a timeframe as to when to return back,
6 and then also Rose had told me that Christina
7 will use vulgar languages upstairs at the front
8 desk.

9 Q Okay. But the questions that I'd asked
10 you earlier as to whether or not these things
11 were a violation of Leo Palace's policy, is
12 this the first time today that you're hearing
13 these allegations against Ms. Camacho?

14 A Today, sir?

15 Q Yes. The first time you're hearing
16 that Ms. Camacho -- well, let's just go down
17 each one of them. Did Ms. Taimanglo ever --
18 did she ever tell you that Ms. Camacho had said
19 that she wanted to -- that she would taste
20 better if she were lunch?

21 A No, sir.

22 Q Did Mr. Perez tell you that?

23 A No, sir.

24 Q Okay. Is this the first time you're
25 hearing that?

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1 did you talk to any male employees regarding
2 these three women's allegations against Ms.
3 Camacho?

4 A No, sir.

5 Q And did you talk to Mr. Perez?

6 A No, sir.

7 Q Did Mr. Perez ever pass any complaints
8 onto you regarding any of these three women
9 being sexually harassed by Ms. Camacho?

10 A Yes, he did, sir.

11 Q And when did he do that?

12 A He did -- he told me that in -- it's
13 either early June of 2004, that Christina
14 Camacho had slapped Vivienne's butt and that
15 Vivienne does not appreciate it.

16 Q And what did you tell Mr. Perez?

17 A I told Mr. Perez to talk to Christina
18 about it, and I told Mr. Perez to write a
19 report and I will also talk to -- I will let
20 Suzuki-San know.

21 Q I'm sorry, and let who know?

22 A I'll let Mr. Suzuki know.

23 Q Okay. And do you know if Mr. Perez
24 spoke with Ms. Camacho?

25 A I don't know, sir.

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1 Q Okay. In any conversation that you had
2 with these three women, did any of them tell
3 you that they were afraid of Ms. Camacho?

4 A No, sir.

5 Q Did any of them tell you that they were
6 physically afraid -- I'm sorry. Did any of
7 them tell you that they were afraid that Ms.
8 Camacho may harm them physically?

9 A No, sir.

10 Q Was there ever a point where the police
11 were called due to Ms. Camacho's conduct
12 towards these three women?

13 A She was terminated on the 13th and then
14 it was on a Sunday, I heard that she was
15 staying at the condo, in the condominiums. And
16 she was making phone calls to the girls and
17 that was -- at that time I guess they were
18 afraid, so the general manager was aware about
19 that and they called the security. They had
20 placed a security on the front desk on the
21 lobby area and the girls, after work, were
22 escorted by security out to the car and out to
23 the main road.

24 Q They were escorted out to the main
25 road?

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1 A I don't remember, sir.

2 Q Okay. When you -- let me ask you this,
3 what is Leo Palace's policy back in 2004,
4 August of 2004, when they terminated employees?
5 What was their policy in terms of escorting
6 them off the premises and whether or not they
7 could come back to the workplace and getting
8 their personal belongings and all the other
9 things?

10 A They will be escorted by security,
11 coming into the gate to get their personal
12 belongings and escorted back out.

13 Q And are they allowed back on the
14 premises after they're terminated? This is
15 going back to 2004.

16 A I don't know, sir.

17 Q Okay. In cases where you have
18 employees who were sexually harassing other
19 employees, are those employees allowed back on
20 the -- are they allowed back on the property of
21 Leo Palace, back in 2004?

22 A Yes, sir.

23 Q They are?

24 A Yes, sir.

25 Q Okay. And currently an employee who

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1 Q Did she ask you if you would give her a
2 reference if she went and applied at another
3 place?

4 A No.

5 Q Now, how about our three women, did you
6 take any Exit interviews of these three ladies?

7 A No, sir.

8 Q Why not?

9 A I was hesitant to talk to them being
10 that they already were filing.

11 Q How did you -- this was when -- when
12 did they leave? It was about August of 2004,
13 correct?

14 A Yes.

15 Q And when did they file their complaints
16 with EEOC?

17 A Actually, no. They were already
18 represented by an attorney on the 16th of
19 August. Christina was terminated on the 13th.
20 On the 16th of August I received a letter from
21 Mr. Torres.

22 Q So the reason after you received a
23 letter from Mr. Torres and you didn't feel that
24 you should conduct any type of Exit interview
25 with these three?

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Tel.(671)688-DEPO * Fax(671)472-3094

Exhibit 7

UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

U.S. EQUAL EMPLOYMENT)	CASE NO. 1:06-CV-00028
OPPORTUNITY COMMISSION,)	
)	
Plaintiff,)	
)	
vs.)	
)	
LEO PALACE RESORT,)	
)	
Defendant.)	
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JENNIFER HOLBROOK, VIVIENE)	
VILLANUEVA, and ROSEMARIE)	
TAIMANGLO,)	
)	
Plaintiff-Intervenors,)	
)	
vs.)	
)	
LEO PALACE RESORT,)	
)	
Defendant.)	

DEPOSITION TRANSCRIPT

OF

SATOSHI SUZUKI

March 14, 2007

PREPARED BY:

GEORGE B. CASTRO
DEPO RESOURCES

#49 Anacoco Lane
Nimitz Hill Estates
Piti, Guam 96915

Tel:(671)688-DEPO * Fax:(671)472-3094

UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

U.S. EQUAL EMPLOYMENT)	CASE NO. 1:06-CV-00028
OPPORTUNITY COMMISSION,)	
)	
Plaintiff,)	
)	
vs.)	
)	
LEO PALACE RESORT,)	
)	
Defendant.)	
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JENNIFER HOLBROOK, VIVIENE)	
VILLANUEVA, and ROSEMARIE)	
TAIMANGLO,)	
)	
Plaintiff-Intervenors,)	
)	
vs.)	
)	
LEO PALACE RESORT,)	
)	
Defendant.)	
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Deposition of **Satoshi Suzuki**, taken on Wednesday, March 14, 2007, at the hour of 9:02 a.m., at the U.S. Attorney's Office, District of Guam, Sirena Plaza, 108 Hernan Cortez Avenue, Hagatna, Guam before George B. Castro, pursuant to Notice. That at said time and place there transpired the following:

DEPO RESOURCES

George B. Castro

Court Reporter

Tel:(671)688-DEPO (3376) * Fax:(671)472-3094

APPEARANCES

For the Plaintiff	U.S. EQUAL OPPORTUNITY COMMISSION By: Gregory L. McClinton, Esq.
For the Plaintiff-Intervenors	TEKER, TORRES & TEKER, P.C. By: Phillip Torres, Esq.
For the Defendant	DOOLEY, ROBERTS & FOWLER, LLP By: Tim Roberts, Esq.
Also present	Morihiro Arasaki (Interpreter) Michiro Niikura Vivienne Villanueva Rosemarie Taimanglo

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Court Reporter

Tel:(671)688-DEPO (3376) * Fax:(671)472-3094

1 Q Prior to Ms. Camacho being fired, did
2 you have any conversation with Ms. Paulino
3 regarding sexual harassment by Ms. Camacho
4 toward Ms. Villanueva?

5 A May, who's May?

6 Q May is --

7 MR. TORRES: Paulino.

8 MR. McCLINTON: Paulino. Right.

9 A No, I have not heard.

10 BY MR. McCLINTON:

11 Q Did Ms. Paulino have any conversation
12 with you regarding Ms. Camacho's sexually
13 harassing Ms. Taimanglo?

14 A As I said I received one report then
15 after that I have not had any conversation with
16 Personnel.

17 Q Okay. So you said the one report, the
18 one report, was that after Ms. Camacho was
19 fired?

20 A As I said it, when I received the
21 report from Rose and Greg first time, since
22 then I have not had any conversation with the
23 personnel in regards to this matter.

24 Q And I understand you received a report.
25 But what I'm asking you is when did you receive

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1 that report? Was that before or after Ms.
2 Camacho was fired?

3 A I believe the first report I heard was
4 at end of -- toward the end of June 2004.

5 Q Okay. So this would have been before
6 Ms. Camacho was fired. Is that correct?

7 A Yes, it was.

8 Q Okay. And when you had this
9 conversation with either Greg or May, did they
10 tell you that Ms. Camacho had been sexually
11 harassing either Ms. Taimanglo , Ms. Holbrook
12 or Ms. Villanueva?

13 A Is this before the 2004 June?

14 Q No. This conversation he says that he
15 had around June of 2006, did they tell him that
16 Ms. Camacho had been accused of harassing these
17 three women?

18 A No, I only heard it once.

19 Q Okay. And was it during this
20 conversation, this one conversation you had,
21 that they told you that Ms. Camacho was
22 sexually harassing these three women?

23 A Not sure about number. However, I
24 heard that she is doing some sexual harassment
25 act. But I'm not sure how many.

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1 illegal behavior with Ms. Paulino that you
2 couldn't let Ms. Camacho go because you were
3 short staffed?

4 INTERPRETER: That's May Paulino,
5 right?

6 Q That's correct.

7 INTERPRETER: Toward May Paulino? In
8 regards to May Paulino's question, regarding to
9 why Camacho is not being fired?

10 Q Right.

11 INTERPRETER: And not let her go?

12 Q That's correct.

13 INTERPRETER: He replied that since
14 he's been short of staff, he is not able to
15 fire -- let go of Ms. Camacho.

16 Q Okay. So, you did tell --

17 INTERPRETER: No, no, I'm asking you.

18 Q Oh, I'm sorry. That's the question,
19 that's the question.

20 A I believe that I had replied that since
21 it's being investigated or turned it over to
22 Personnel already until the result comes from
23 the Personnel, I will not be able to do
24 anything in regards to Camacho's position.

25 Q Okay. I understand that the complaint

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1 BY MR. McCLINTON:

2 Q You could answer.

3 A I knew, because Rose had reporting
4 once.

5 Q Okay.

6 A Since I have spoken to her once, I
7 wasn't sure it was continuing on.

8 Q Okay. And when was it that Rose told
9 you that she was being sexually harassed by Ms.
10 Camacho?

11 INTERPRETER: One more time. Rose --

12 Q That's Rose Tamayo.

13 MR. TORRES: Taimanglo.

14 MR. McCLINTON: Taimanglo.

15 A Taimanglo.

16 MR. McCLINTON: Taimanglo.

17 INTERPRETER: Taimanglo had told that
18 she's being harassed?

19 MR. McCLINTON: That's correct.

20 A I believe it at the end of June I heard
21 -- had the report from Rose and Greg and
22 somewhere in end of June, toward the end of
23 June.

24 BY MR. McCLINTON:

25 Q Okay. And when you heard from Rose and

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1 Greg around the end of June, what was it that
2 Rose specifically told you regarding the
3 harassment?

4 A I believe I received their report that
5 she's been harassed -- sexually harassed and
6 there were report. They will discuss with the
7 Personnel.

8 Q Okay. So you told them to take their
9 complaint to Personnel?

10 MR. ROBERTS: Objection, it's not what
11 the witness said. So, it mischaracterizes the
12 testimony.

13 MR. McCLINTON: It's okay, I'm not sure
14 what he said. But go ahead.

15 A No. They themselves directly would
16 talk to the Personnel.

17 MR. McCLINTON: Okay.

18 INTERPRETER: That's what he said.

19 BY MR. McCLINTON:

20 Q So they told you that they would talk
21 directly to Personnel?

22 A Yes, they did.

23 Q Okay. Did you give Rose any
24 instructions regarding Camacho's behavior?

25 A As they were saying that they would

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1 A No, I have not.

2 Q Did anyone from Personnel ask you if
3 you had knowledge of Ms. Camacho's illegal
4 behavior prior to the conversation you had with
5 Rose and Greg?

6 A I don't think I do.

7 Q Okay. And do you know if Mr. Iijima
8 knew that Ms. Camacho had been sexually
9 harassing any of these three women?

10 A Yes, I do. I did, that Iijima knew it.

11 Q Okay. And he knew it before Greg and
12 Rose had informed you of Ms. Camacho's
13 harassment?

14 A I don't think I knew it.

15 Q Okay.

16 MR. McCLINTON: Why don't we take a 5-
17 minute break.

18 (Off the record from 10:49 a.m. to
19 11:09 a.m.)

20 A Can I ask one question?

21 Q Sure.

22 A Maybe some questions -- corrections. I
23 received some reports at end of June and Iijima
24 may have told you that Iijima knew before that,
25 but I believe that I heard from Iijima probably

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1 afterwards -- after that the June -- end of the
2 June.

3 Q Okay.

4 A So, it's not before. So, I just want
5 to make sure on that.

6 Q That's okay. Mr. Suzuki, in 2004, what
7 was the shift or what were your work hours?

8 A Probably it was starting about 9 in the
9 morning 'til 8 in the evening.

10 Q And do you recall what Ms. Camacho's
11 work hours were during that same period?

12 A She was mostly scheduled on the morning
13 shift, so it could have been 6:15 in the
14 morning 'til 2:45 in the afternoon. But there
15 maybe -- that could be having some afternoon
16 shifts was well.

17 Q I understand. And what was the hours
18 for the afternoon shift?

19 A 1:15 through 9:45. 9:15.

20 Q So, in 2004 did you see Ms. Camacho on
21 a daily basis?

22 A About the same -- we're working about
23 the same day, sir.

24 Q Okay. And what about Rose, did you
25 also see her on a daily basis?

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1 Q Before?

2 INTERPRETER: One more time?

3 MR. McCLINTON: Sure.

4 Q Before August 12th, 2004, before Ms.
5 Camacho was terminated, was the front desk
6 short staffed?

7 A Yes, it was. It was short.

8 Q Okay. And after Ms. Camacho was
9 terminated, was the front desk area still short
10 staffed?

11 A Yes, it was.

12 Q Was the front desk short staffed all --
13 or the remainder of 2004?

14 A Yes, it was.

15 Q Okay. And after August 12th of 2004,
16 did you make a decision to change Rose
17 Taimanglo's shift?

18 A I don't remember in my memory. I'm not
19 sure.

20 Q Was Rose -- after August 12th, was
21 Rose's shift changed from the day shift to the
22 swing shift?

23 INTERPRETER: Day shift to?

24 Q To the swing shift.

25 A I don't remember well.

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1 Q Okay. And did you ever talk to any of
2 the three women about the fact that they had
3 contacted an attorney after Ms. Camacho had
4 been fired?

5 A No, I don't remember.

6 Q Okay. Were you angry at the fact that
7 these three women had filed the charge with
8 claiming harassment with the EEOC?

9 A I'm not sure.

10 Q You're not sure how you felt?

11 INTERPRETER: He just wondered why.

12 Q Well, let me ask you, you said you
13 wondered why. Did you -- after Ms. Camacho had
14 been fired, did you understand that these women
15 had been subjected to sexual harassment?

16 INTERPRETER: After Ms. Camacho has
17 been terminated --

18 Q Right.

19 INTERPRETER: -- was she aware of --

20 Q Wasn't he aware that these women had
21 been subjected to sexual harassment?

22 A Since I heard, I think I believe I did.

23 Q Right. Because in fact the Personnel
24 told you, that's why they fired Camacho, right?

25 A I believe, yes --

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1 Q Okay.

2 A -- that's why she was fired.

3 Q Right. And you knew as early as June
4 of 2004 that Rose had complained that she was
5 being sexually harassed by Ms. Camacho. Isn't
6 that true?

7 A Yes, I heard one report from end of
8 June. Yes.

9 Q All right. And in fact, you didn't
10 hear, you knew because Rose told you. Isn't
11 that true? I said it's not that you heard, you
12 knew because Rose told you?

13 A Yes.

14 Q Okay. Now after Ms. Camacho had been
15 fired, were you aware of an incident where Ms.
16 Camacho had threatened these three women while
17 they were at work at Leo Palace?

18 A No, I have not heard. I don't
19 remember.

20 Q Did Mr. Iijima ever tell you about an
21 incident where security had to be called
22 because Ms. Camacho had threatened these three
23 women on or around August 15 2004?

24 A I believe there's some kind of report
25 but I don't remember the details.

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1 Q Didn't she tell you that she wasn't
2 going to stay because she no more could take
3 the harassment that continued even after Ms.
4 Camacho had been fired?

5 A I am not sure -- I don't know well but
6 I'm -- could not have comprehend, you know,
7 the contents of the conversation but rather I
8 really don't remember well.

9 Q Didn't she tell you she was stressed,
10 to the point that she was physically ill and
11 she couldn't come to work there anymore?

12 MR. ROBERTS: Objection, witness
13 testified that he doesn't remember.

14 MR. McCLINTON: He can answer.

15 A But didn't remember -- at that time
16 when she -- we would talk and she had cried, so
17 she may have mentioned something in that nature
18 but I really don't remember clearly.

19 Q In fact all three of these women felt
20 that way, isn't that true?

21 MR. ROBERTS: Objection, calls for
22 speculation.

23 MR. McCLINTON: You can answer.

24 A At that time maybe I didn't comprehend.

25 BY MR. McCLINTON:

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1 A It's continuously monitored.

2 Q Okay. And why did you have to look at
3 those security tapes?

4 A I remember that one time there was a
5 short of cash and I think that's the time that
6 he look at the security tape.

7 Q Okay. Does he know how long they are
8 saved for?

9 A I don't know.

10 Q Okay. Who's in charge of the security
11 at the hotel?

12 A At this moment?

13 Q Well, in 2004.

14 A I'm not sure about that, who's in
15 charge.

16 Q Okay. In 2004 Palacios Security
17 provided security for the hotel. Do they
18 answer to you?

19 A I don't understand, sir.

20 Q Okay. Also, do you remember that Rose
21 went to complain to May Paulino about sexual
22 harassment around July 1st, 2004; do you
23 remember that?

24 INTERPRETER: Rose?

25 MR. TORRES: I'll ask it again.

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1 Q Do you remember that Rose came to you,
2 went to you, and said she wanted to go to HR to
3 complain about Christina Camacho on sexual
4 harassment?

5 A Yes, I do.

6 Q And you remember telling her it was
7 okay with you for her to go to HR, to May?

8 A Yes, I did.

9 Q Okay. You remember Greg coming to you
10 even before that time saying that he had heard
11 a complaint about Christina Camacho, and did he
12 want to go and talk to HR about it?

13 A I'm not sure about that.

14 Q Okay. What you remember telling Greg,
15 it was okay for him to go and talk to May
16 Paulino about his concerns?

17 A My memory does not agree but if they
18 ask me I could have done a thing to go to HR.

19 Q Okay. And as manager, you felt that HR
20 would deal with any problems that they were
21 told about?

22 A As they have talked today, HR director,
23 I think HR would handle the problems.

24 Q I have nothing further.

25 MR. TORRES: Thank you.

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